



General Assembly

Substitute Bill No. 1034

January Session, 2001

***AN ACT ESTABLISHING COLLECTIVE BARGAINING RIGHTS FOR
DEPARTMENT OF CORRECTION OFFICERS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (g) of section 5-270 of the general statutes is
2 repealed and the following is substituted in lieu thereof:

3 (g) "Managerial employee" means [(1)] any individual in a position
4 in which the principal functions are characterized by not fewer than
5 two of the following, provided for any position in any unit of the
6 system of higher education, one of such two functions shall be as
7 specified in [subparagraph (D) below: (A)] subdivision (4) of this
8 subsection: (1) Responsibility for direction of a subunit or facility of a
9 major division of an agency or assignment to an agency head's staff;
10 [(B)] (2) development, implementation and evaluation of goals and
11 objectives consistent with agency mission and policy; [(C)] (3)
12 participation in the formulation of agency policy; [(D)] or (4) a major
13 role in the administration of collective bargaining agreements or major
14 personnel decisions, or both, including staffing, hiring, firing,
15 evaluation, promotion and training of employees. [; or (2) Department
16 of Correction employees at the level of lieutenant or above.]

17 Sec. 2. Subsection (b) of section 5-275 of the general statutes is
18 repealed and the following is substituted in lieu thereof:

19 (b) The board shall determine the appropriateness of a unit which

20 shall be the public employer unit or a subdivision thereof. In
 21 determining the appropriateness of the unit, the board shall: (1) Take
 22 into consideration, but shall not be limited to, the following: (A) Public
 23 employees must have an identifiable community of interest, and (B)
 24 the effects of overfragmentation; (2) not decide that any unit is
 25 appropriate if (A) such unit includes both professional and
 26 nonprofessional employees, unless a majority of such professional
 27 employees vote for inclusion in such unit, or (B) such unit includes
 28 both Department of Correction employees at or above the level of
 29 lieutenant and Department of Correction employees below the level of
 30 lieutenant; (3) take into consideration that when the state is the
 31 employer, it will be bargaining on a state-wide basis unless issues
 32 involve working conditions peculiar to a given governmental
 33 employment locale; (4) permit the faculties of (A) The University of
 34 Connecticut, (B) the Connecticut State University system, and (C) the
 35 state regional vocational-technical schools to each comprise a separate
 36 unit, which in each case shall have the right to bargain collectively
 37 with its respective board of trustees or its designated representative;
 38 and (5) permit the community college faculty and the technical college
 39 faculty as they existed prior to July 1, 1992, to continue to comprise
 40 separate units which in each case shall have the right to bargain
 41 collectively with its board of trustees or its designated representative.
 42 Nonfaculty professional staff of the above institutions may by mutual
 43 agreement be included in such bargaining units, or they may form a
 44 separate bargaining unit of their own. This section shall not be deemed
 45 to prohibit multiunit bargaining.

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